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**Ord & Norman**

# Fax

|                                   |  |
|-----------------------------------|--|
| <b>To:</b> Allyson B. Baker, Esq. | <b>From:</b> Ned Ord                   |
| <b>Fax:</b> (202) 514-6770        | <b>Pages:</b> 3 (Including Cover Page) |
| <b>Phone:</b>                     | <b>Date:</b> 6/17/2008                 |
| <b>Re:</b> Hsin - 7118            | <b>CC:</b>                             |

☐ **Urgent**    ☐ **For Review**    ☐ **Please Comment**    ☐ **Please Reply**    ☐ **Please Recycle**

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• **Comments:**

Please disregard the last fax. Attached is the final, signed copy of the letter.

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2008 JUN 18 PM 9:52  
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ORD & NORMAN

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June 17, 2008

Allyson B. Baker  
Trial Attorney, Tax Division  
U.S. Department of Justice  
P.O. Box 7238  
Ben Franklin Station  
Washington, D.C. 20044

Re: *United States v. Charles Catchart, et. al.*,  
Case No. 07-4762-PJH

Dear Ms. Baker,

I am writing you to ask that you agree to an extension to answer or otherwise move until July 15, 2008, on behalf of Charles Hsin and Optech.

My reasons are as follows:

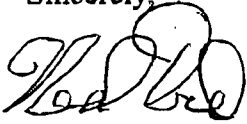
1. My ethics counsel was on vacation. He has not yet finished the conflicts analysis. This event will not occur at the earliest until late next week. In the meantime, I only have the authority to seek time.
2. There is going to be a stay at some point put in place in this case due to Section 6700 refund actions based in part on *U.S. v. Nordbrock*, 941 F2d 947 (9<sup>th</sup> Cir. 2001). If there is going to be a stay, my client really does not want to expend unnecessary resources if the case is going to be stayed, assuming I get the go ahead in early July to work on the case.
3. We would like time to see if we can get a stipulated injunction with you as long as it is not a confession.
4. I am trying to locate the other defendant, Franklin Thomason, you are seeking to join to see if he wants me to represent him. If so, this would simplify problems from your end and eventually result in time being saved. Have you served him?
5. I just found out that I am being deposed in a civil suit even though discovery has been cut off in the capacity as an expert witness. It is set at the time I am

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supposed to respond to it, and with very short notice. I have to stop and prepare my testimony, then endure a long deposition.

Your immediate response will be appreciated so I know whether to file a motion. Thank you for your anticipated cooperation of this important matter. I may be reached at (415) 274-3800.

Sincerely,

A handwritten signature in black ink, appearing to read "Ned Ord", with a large, stylized flourish at the end.

Ned Ord  
EOC:se

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